REMARKS

Claims 1-23 are currently pending in this application, with claims 1 and 10 being independent. New claims 10-23 have been added to define additional aspects of the invention. Applicants respectfully request favorable reconsideration of this application based upon the following remarks herein.

Claim Objections – 35 U.S.C. § 102

In the outstanding Office Action, claims 1, 2, 3, 6, 8 and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,831,688-A to Yamada et al. ("Yamada"). Applicants submit that the Office Action failed to set forth a *prima facie* case of anticipation and traverse the rejection.

Regarding claim 1, Yamada discloses an image coded data re-encoding apparatus based on the system in which data decoded for relaying or copying from an image decoder is again coded in a manner to preserve image quality (column 5, lines 13-17). Specifically, Yamada discloses an image coded data re-encoding apparatus, which includes a frame memory 1, a subtracter 2, a transformer 3, an inverse quantizer 6, an inverse transformer 7, an adder 8, a frame memory 9, and a motion compensation predictor 10. The motion compensation predictor 10 corresponds to a conventional motion compensation predictor, and when receiving decoded motion vectors from the variable length decoder 11, the motion compensation predictor 10 makes a determination as to which of I, P or B picture the coding mode for the image coded data (transmitted/stored data) is, and does not predict motion compensation for an I picture if the coding mode is for an I picture, or

9

predicts forward motion compensation for a P picture if the coding mode is for a P picture, thus switching a coding mode for prediction of motion compensation in synchronism to an image decoder. Furthermore, the motion compensation predictor 10 receives the decoded motion vectors 113a and outputs the motion vector 113. (See column 5, lines 32-62.)

Conversely, Yamada fails to disclose, at least, "a picture type detector for detecting a picture type in coding processing in a previous stage, using the feature amount output from said DCT coefficient counter," as recited in claim 1.

Yamada is distinguished from the feature quoted above in claim 1 in that the motion compensation predictor 10 makes a determination regarding picture type when receiving the decoded motion vectors from the variable length decoder (column 5, lines 50-54.) The Examiner purports that the DCT coefficient counter as recited in claim 1 is the quantizer 4 disclosed in Figure 1A of Yamada. Applicants disagree with this position, as Yamada further discloses that the quantizer 4 executes quantization to transform coefficients 104a inverse quantized, if a number of non-zero transform coefficients 104a outputted from the inverse quantizer 12 per block exceeds a value prespecified for the current coding mode (column 7, lines 24-29). Specifically, Yamada fails to disclose the quantizer providing the number of non-zero transform coefficients 104a to motion compensation predictor 10 to determine picture type. Accordingly, Applicants respectfully request the Examiner to withdraw the § 102(b) rejection of claim 1. Claims 2, 3, 6, 8 and 9 depend from claim 1 and are also allowable at least by virtue of their dependency from allowable claim 1.

Claim Rejections – 35 U.S.C. § 103: Yamada/Senoh

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of U. S. Patent No. 6,785,429-B1 to Senoh ("Senoh").

Claim 4 depends from allowable claim 1 and includes all of the features recited therein. Yamada fails to disclose all of the features recited in claim 1, as provided above in the arguments for the allowability of claim 1.

Senoh fails to cure the deficiencies of Yamada at least in this respect. Senoh teaches a multimedia data retrieval device, which provides a client with media information through a communication line from a content storage section (see Figure 1). By entering a feature keyword at the client, content retrieval section 2 accesses the content storage section 1 for retrieving a content based upon the keyword (see column 4, line 63 through column 5, line 3). Senoh fails to teach, at least, the feature quoted above in the arguments for the allowability of claim 1. Accordingly, Applicants respectfully request the Examiner withdraw the § 103 rejection of claim 4.

Claim Rejections – 35 U.S.C. § 103: Yamada/Yagasaki

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of U. S. Patent No. 5,486,862-A to Yagasaki ("Yagasaki").

Claim 5 depends from allowable claim 1 and includes all of the features recited therein. Yagasaki fails to teach all of the features recited in claim 1 as presented above in the arguments for the allowability of claim 1.

Yagasaki fails to cure the deficiencies of Yamada at least in this respect. Yagasaki teaches a motion picture encoding system, which permits encoding of a motion picture with high coding efficiency and also permits improvement of the picture quality (see Abstract, Figure 8). Yagasaki fails to teach the features of claim 1 recited above which are included in claim 5. Accordingly, Applicants respectfully request the Examiner to withdraw the § 103 rejection of claim 5.

Claim Rejections – 35 U.S.C. § 103: Yamada/Astle

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of U. S. Patent No. 5,557,330-A to Astle ("Astle").

Claim 7 depends from allowable claim 1 and includes all of the features recited therein. As presented above, Yamada fails to teach all of the features recited in claim 1.

Astle fails to cure the deficiencies of Yamada in this respect. Astle merely teaches a video encoder which uses selected prefiltering. Astle divides video frames which are to be encoded into regions, which are then classified into different classes of regions. One or more different filters are then applied to the regions to generate prefiltered video frames, which are then encoded into an encoded bit stream (Abstract, Figure 4). Astle fails to teach at least the features quoted above, as recited in claim 1, which are included in claim 7. Accordingly, Applicants respectfully request the Examiner to withdraw the § 103 rejection of claim 7.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. Accordingly, reconsideration of the objections and rejections and allowance of all of the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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